

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/718,985	TSAUR, LIH-FENG
	Examiner	Art Unit
	Harry Vartanian	2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS**. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 6/21/2004.
2.  The allowed claim(s) is/are 4, 8-11 and 15-17.
3.  The drawings filed on 21 June 2004 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William J. Kolegraff(Registration# 41,125) on 10/25/2004.

The application has been amended as follows:

**PLEASE CANCEL CLAIMS 1-3, 5-7, 12-14.**

**PLEASE CHANGE THE FOLLOWING TO CLAIM 4, LINES 8-19:**

code are used for communications with the communication station, [[and]]

means for identifying the signal points of consecutively transmitted symbols in the decoded data and recognizing a change in the rate of data transmission when the signal points of consecutively transmitted signal points are not correlated, and

wherein (a) two consecutive symbols  $p_t$  and  $p_{t+1}$  are decoded at a first symbol rate when the data is decoded, (b) if both symbols  $p_t$  and  $p_{t+1}$  are considered valid, both symbols  $p_t$  and  $p_{t+1}$  are decoded to determine whether they are correlated; (c) if the symbols  $p_t$  and  $p_{t+1}$  are not correlated, then the first symbols are not correlated, then the first symbol  $p_t$  is output and the symbols  $p_{t+1}$  and a following symbol  $p_{t+2}$  are decoded; and (d) if both symbols  $p_{t+1}$  and  $p_{t+2}$  are considered valid, designating the symbols  $p_{t+1}$  and  $p_{t+2}$  as the symbols  $p_t$  and  $p_{t+1}$  and repeating steps (b), (c) and (d), unless consecutive symbols are correlated.

***PLEASE CHANGE THE FOLLOWING TO CLAIM 8, LINE 1:***

The communication station of claim [[7]]4, wherein (e) if the

***PLEASE CHANGE THE FOLLOWING TO CLAIM 9, LINE 1:***

The communication station of claim [[7]]4, wherein if the symbol  $p_{t+1}$  is

***PLEASE CHANGE THE FOLLOWING TO CLAIM 10, LINE 1:***

The communication station of claim [[7]]4, wherein if the symbol  $p_{t+1}$  is

***PLEASE CHANGE THE FOLLOWING TO CLAIM 11, LINES 9:***

station, [[and]]

a detector which identifies the signal points of consecutively transmitted symbols in the decoded data and recognizes a change in the rate of data transmission when the signal points of consecutively transmitted signal points are not correlated, and

wherein (a) two consecutive symbols  $p_t$  and  $p_{t+1}$  are decoded at a first symbol rate when the data is decoded, (b) if both symbols  $p_t$  and  $p_{t+1}$  are considered valid, both symbols  $p_t$  and  $p_{t+1}$  are decoded to determine whether they are correlated; (c) if the symbols  $p_t$  and  $p_{t+1}$  are not correlated, then the first symbols are not correlated, then the first symbol  $p_t$  is output and the symbols  $p_{t+1}$  and a following symbol  $p_{t+2}$  are decoded; and (d) if both symbols  $p_{t+1}$  and  $p_{t+2}$  are considered valid, designating the symbols  $p_{t+1}$  and  $p_{t+2}$  as the symbols  $p_t$  and  $p_{t+1}$  and repeating steps (b), (c) and (d), unless consecutive symbols are correlated.

***PLEASE CHANGE THE FOLLOWING TO CLAIM 15, LINE 1:***

The communication station of claim [[14]]11, wherein (e) if the

***PLEASE CHANGE THE FOLLOWING TO CLAIM 16, LINE 1:***

The communication station of claim [[14]]11, wherein if the symbol  $p_{t+1}$  is

***PLEASE CHANGE THE FOLLOWING TO CLAIM 17, LINE 1:***

The communication station of claim [[14]]11, wherein if the symbol  $p_{t+1}$  is

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry Vartanian whose telephone number is 571.272.3048. The examiner can normally be reached on 10:00-6:30 Mondays to Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571.272.3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harry Vartanian  
Examiner  
Art Unit 2634

HV



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